

# Mississippi

## A. STATE-AT-A-GLANCE

|  |   |
|--|---|
| 1) Program Operation   | State-administered  |
| 2) Number of Local Offices (excluding Agencies under Cooperative Agreements) | 84  |
| 3) Type of Agencies with Cooperative Agreements                              | Private Child Support Agency  |
| 4) Uniform Interstate Family Support Act                                     | Yes   |
| 5) Agreements With Tribal Entities   | No  |
| 6) Age of Majority for Termination of Support                                | 21 unless different in the court order  |
| 7) Statutes of Limitation:   |   |
| • Collection of Past Due Support   | General 7 year statute, past age of majority  |
| • Paternity Establishment  | 18 for DCSE   |
| Dormancy Revival/Renewal Possible [yes/no]                                   |   |
| 8) Guidelines  | Income shares   |
| 9) Interest Rates on   | Statutory rate 8%   |
| • Missed Payments  | court-ordered   |
| • Retroactive Support  | court-ordered   |
| • Adjudicated Arrearage  | court-ordered   |
| 10) Arrearage Collections for Non-minor Child(ren)                           | No  |
| 11) Distribution Scheme  |   |
| • AFDC Arrears   | Current support (if multiple cases proportionately among the cases); arrears balances (AFDC and Non-AFDC) proportionately (if multiple cases proportionately among the cases); EXCEPT for |

|  |  |
|--|--|
|  | IRS intercepted funds, which apply first to AFDC arrears   |
| • <b>Non-AFDC Arrears</b>  | See AFDC arrears, above.   |
| <b>12) Procedures Regarding Medical Support Using Income Withholding</b> | None   |
| <b>13) New Hire Reporting</b>  | No   |
| <b>14) Recovery of Costs Elected Under State Plan</b>                    | No   |
| <b>15) Recovery of Costs for Initiating State</b>                        | No   |
| <b>16) Long-Arm Statute/s Citation/s</b>                                 | Yes  |
| <b>17) Automated Locate Resources</b>                                    | Highway Patrol, Department of Motor Vehicle, Employment Security Commission, AFDC/Food Stamp System, Department of Corrections, Department of Health, State Personnel Board, Federal Parent Locator Service, Credit Bureau, State Tax Commission |
| <b>18) Enforcement Options</b>   |  |
| • <b>State Income Tax Refund Intercept</b>                               | Yes  |
| • <b>License Revocation/ Suspension</b>                                  | Yes  |
| • <b>Administrative Liens</b>  | Yes  |
| • <b>Property Seizure &amp; Sale</b>                                     | Yes  |
| • <b>State Funds/Benefits (please specify)</b>                           | Unemployment intercept, State tax intercept  |
| • <b>Other (please specify)</b>  |  |
| <b>19) Spousal Maintenance Orders</b><br><i>(specify yes or no)</i>      | No   |
| • <b>Establish</b>   | No   |
| • <b>Enforce</b>   | No   |
| • <b>Modify</b>  | No   |
| <b>20) Current Spouse/Partner Information Required</b>                   | No   |

## B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

|   |                  |
|---|------------------|
| 1) State Code Citation                        | Have not adopted |
| 2) Effective Date                             |                  |
| 3) Adopted Verbatim? If no, list differences. | N/A              |
| 4) Repeal URESA?                              |                  |
| 5) Repeal IWW?                                |                  |

## C. INCOME WITHHOLDING

|   |  |
|---|--|
| 1) Income Withholding Terminology   | Income Withholding Orders, upon delinquency and immediate  |
| 2) Income Withholding Procedures  | Yes  |
| • State Withholding Limits  | 55%, if presently married  |
| • Fee Charged by Employers  | \$2.00   |
| • Date to Remit   | Weekly, bi-weekly, monthly   |
| • Penalty   | Yes, contempt proceedings  |
| 3) Definition of Employer   | Any person or organization having any person in employment, defined as personal services of whatever nature, including service in interstate commerce, performed for earnings or under any contract for personal service   |
| 4) Included Income  | Any form of periodic payment to an individual, regardless of source including, but not limited to: wages, salary, commissions, compensation as an independent contractor, workers' compensation, disability, annuity and retirement benefits, and any other payments made by any person, private entity, Federal, or State government or any unit of local government, notwithstanding any other provisions of State or local law which limit or exempt income or the amount or percentage of income that can be withheld. |
| 5) Excluded Income  | Amounts exempt according to law  |
| 6) Direct Income Withholding for Unemployment Compensation, include address | No, automatic intercept  |
| 7) Direct Income for Workers' Compensation, include address                 | No   |
| 8) Direct Income Withholding, other income sources subject to,              | Employers only   |

|     |  |  |
|-----|--|--|
|     | <b>include address</b>   |  |
| 9)  | <b>Direct Income Withholding, list Other Income Sources NOT subject to</b> | tax offsets and unemployment intercept   |
| 10) | <b>Federal Withholding (See Federal Pay Agents Section)</b>                | IV-D Directors need not answer this question.  |
| 11) | <b>Procedures for Contesting Income Withholding</b>                        | Yes  |
| 12) | <b>Arrearages through Income Withholding</b>                               | Yes  |
| 13) | <b>Enforcing Against Non-Resident Obligor Asset/Income</b>                 | Yes  |
| 14) | <b>Exception to Immediate Withholding</b>                                  | Yes  |
| 15) | <b>Multiple Obligations Withholding Priorities</b>                         |  |
|     | • Policy   |  |
|     | • Priority   |  |
|     | • Assistance   |  |
|     | • Allocation   | (1) current support proportionately among the cases, (2) administrative fees, (3) AFDC and Non-AFDC arrears proportionately among cases if there are multiple cases, (4) court costs and other fees such as genetic testing, (5) future payments |

## D. PATERNITY

|    |  |   |
|----|--|---|
| 1) | <b>Interstate Paternity Procedures</b>                     | DCSE serves putative father and attempts to settle case with an agreed order through court system; if paternity is contested, DCSE will conduct blood test and contact initiating agency to coordinate arrangement. |
|    | <b>Consent Orders Obtained</b>                             | Yes   |
| 2) | <b>Uniform Parentage Act</b>                               | 93-9-1  |
| 3) | <b>Uniform Act on Blood Testing</b>                        | No  |
| 4) | <b>Parentage Order Available Without Order for Support</b> | Yes   |
| 5) | <b>Custody/Visitation Addressed</b>                        | No  |

|  |  |
|--|--|
| <b>Subject to Tribunal's Jurisdiction</b>  |  |
| <b>6) Genetic Test Results as Presumption of Paternity</b>                             | Yes  |
| <b>Threshold</b>   | 99%  |
| <b>7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)</b> | Rebuttable   |
| <b>8) Marriage as Presumption of Paternity</b>   | Yes  |
| <b>9) Putative Father's Name on Birth Certificate, Effect of</b>                       | Not done unless the putative father acknowledges in writing at the hospital that he is the father and consents to entry of his name on the birth certificate |
| <b>10) Other Statutory Presumptions</b>  |  |
| <b>11) Recognition of Common Law Marriage</b>  | No   |
| <b>12) Personal Appearance of Witness or Custodial Parent Required</b>                 | Yes  |
| <b>Acceptable Methods of Testimony</b>   | No   |
| <b>13) Long-Arm Statute</b>  | Yes  |
| <b>14) Assistance to Other States Using Their Long-Arm Statutes</b>                    |  |
| • Service of Process   | Yes  |
| • Genetic Testing  | Yes  |
| <b>15) Recovery of Genetic Testing Costs for Other States</b>                          | Yes  |

## E. SUPPORT ORDER ESTABLISHMENT

|   |  |
|---|--|
| <b>1) Interstate Procedures</b>                 | URESA; Interstate income withholding   |
| <b>2) Income Considered for Setting Support</b> | Extraordinary medical, psychological, educational, or dental expenses; independent income of the child; payment of both child support and spousal support to the obligee; seasonal variations in one or both parents'<br><br>income or expenses; age of the child; special |

|                                    |  |
|------------------------------------|--|
|                                    | needs traditionally met by the family; time spent with AP; total available assets of AP, CP, and child |
| 3) Criteria for Rebuttal           |  |
| 4) Support Order for Prior Periods |  |

## **F. ENFORCEMENT**

**(Note: If multiple orders, see Part “G”)**

### **I. ENFORCING YOUR OWN ORDER**

|   |                           |
|---|---------------------------|
| 1) Enforcement for Non-Resident Family                          | Yes                       |
| 2) Administrative Procedures and Remedies Available             | No                        |
| 3) Judicial Procedures and Remedies Available with Registration | Yes, without registration |

### **II. ENFORCING OTHER STATES’ ORDERS**

|  |                      |
|--|----------------------|
| 4) Administrative Procedures and Remedies Available Without Registration | NO                   |
| 5) Judicial/Administrative Remedies with Registration                    | Judicial             |
| 6) UIFSA/URES A Registration and Enforcement Procedure                   | URES A               |
| 7) Judicial Procedures Required after Registration                       | Yes                  |
| 8) Uniform Enforcement of Foreign Judgments Act Citation                 | 93-12-1 and 93-12-21 |

## **G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS**

|                              |  |
|------------------------------|--|
| 1) Jurisdiction Requirements |  |
|------------------------------|--|

|  |  |
|--|--|
| 2) <b>Modification Procedures</b>                    | IV-D cases with assignments to the state are reviewed every three years or sooner if requested by AP or CP. A review must be requested by the other state, CP or AP in cases without assignments to the state. |
| 3) <b>Criteria for Modification</b>                  | 15% change in adjusted income of AP or CP or change in the needs of the child  |
| 4) <b>Criteria for Change of Circumstances</b>       | Extraordinary medical, independent income of child, available assets of child, age of child, change in involvement of AP is child's activities   |
| 5) <b>Frequency With Which Reviews are Conducted</b> | Every three years or upon request  |
| 6) <b>Criteria for Review</b>                        | Same as No. 3 above  |
| 7) <b>Criteria for Adjustment</b>                    | Same as No. 3 above  |

## H. MULTIPLE ORDERS

### ENFORCEMENT AND MODIFICATION

|                                     |  |
|-------------------------------------|--|
| 1) <b>Controlling Order</b>         | What state has continuing jurisdiction |
| 2) <b>Date of Controlling Order</b> |  |
| 3) <b>If No Controlling Order</b>   | The most recent                        |
| 4) <b>Arrears Procedure</b>         |  |

## I. Documentation Required to Initiate Requests

| ACTION REQUESTED                                      | DOCUMENTS NEEDED  | # of<br>Copies<br>of<br>each<br>docu-<br>ment | Certi-<br>fication<br>required<br>for each<br>docu-<br>ment<br><br>*See<br>below |
|---|---|---|--|
| Establishment of Paternity and Support                | CSE Transmittal<br><br>Uniform Support Petition<br><br>General Testimony for URESA<br><br>Paternity Affidavit<br><br>Child's Certified Birth Certificate<br><br>Certificate and Order | 3<br>3    3<br>3<br>1<br>3                    | D.<br>D.<br>D.<br>A.<br>A.<br>C.   |
| Enforcement of Responding State's Order               | CSE Transmittal<br><br>Order of Support and all modifications<br><br>Obligee's verified statement of arrears<br><br>Agency's payment record if appropriate                            | 3<br><br>3<br><br>1<br><br>1                  | D.<br><br>C.<br><br>A.<br><br>B.   |
| Modification of Responding States' Orders             |   |   |  |
| Administrative Enforcement of Another States' Order   | N/A   |   |  |
| Registration for Enforcement of Another States' Order | Same as "Enforcement of Responding State's Order"   |   |  |
| Collection of Arrearages in Multiple Orders           |   |   |  |
| Uniform Enforcement of Foreign Judgments Act          |   |   |  |
| Modification of Another State's Order                 |   |   |  |



| ACTION REQUESTED                             | DOCUMENTS NEEDED  | # of<br>Copies<br>of<br>each<br>docu-<br>ment | Certifi-<br>cation<br>required<br>for each<br>docu-<br>ment<br><br>*See<br>below |
|--|-------------------|---|--|
| Status Update on an Existing Interstate Case | CSE Transmittal   | 1   | D.   |
| Assistance/Discovery                         |                   |   |  |
| Quick Locate                                 | Locate Data Sheet | 1   | E.   |

*\*A= Notarization by Notary Public; B= Certification by signature of agency official;  
C= Certification by signature of court official; D= Others (please specify);  
E= Certification not required*

## J. State Contact Chart

| ASSISTANCE NEEDED   | CONTACT<br><br>Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)  |
|---|--|
| State Information Agent   | Alethea Cross, Program Specialist PH:601-359-4869<br><br>Post Office Box 352 FAX:601-359-4415<br><br>Jackson, MS 39205                                     |
| Central Registry  | Alethea Cross, Program Specialist PH:601-359-4869<br><br>Post Office Box 352 FAX:601-359-4415<br><br>Jackson, MS 39205                                     |
| Interstate Policy Contact (if different)  | Same as above  |
| Contact for Information Regarding Your States Long Arm Statute and Process  | Same as above  |
| Contact for Information Regarding Collection and Distribution (State level)   | Same as above  |
| Contact to Obtain Payment Records   | Same as above (Local office if telephone number is available)  |
| Contact to Obtain Copy of Order   | Same as above (Local office if telephone number is available)  |
| Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no "case" in your State) for | Same as above  |
| Service of Process<br><br>(private process server? If so , list)  | Same as above  |
| Genetic Testing<br><br>( e.g. assistance with interstate teleconferencing)  | Same as above  |
| New Hire Reporting Contact  | N/A  |
| Employer Assistance Contact   | Marolyn Gray, Supervisor<br><br>State Parent Locator Unit<br><br>Post Office Box 352<br><br>Jackson, MS 39205<br><br>Phone: 601-359-4867 FAX: 601-359-4415 |

|  |   |
|--|---|
| Telephone Number for Automated Interstate Case <i>Status</i> Requests<br><br>(if any)  |   |
| Telephone Number for Automated Interstate Case <i>Payment</i> Requests<br><br>(if any) |   |
| Privatization Contact  | Carolyn Bridgers, IV-D Director<br><br>Post Office Box 352<br><br>Jackson, MS 39205<br><br>Phone: 601-359-4861<br><br>FAX: 601-359-4415 |